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SENIOR DEMOCRATIC MEMBER
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MEMBER
COMMITTEE ON
ENERGY AND COMMERCE

Congress of the United States
House of Representatives
Washington, DC 20515-0530

HENRY A. WAXMAN
30TH DISTRICT, CALIFORNIA

March 3, 2005

Mr. Peter Stamison
Regional Administrator
GSA Pacific Rim Region
450 Golden Gate Avenue
San Francisco, California 94102-3434

Dear Mr. Stamison:

I am writing for the third time regarding the *Notice of Intent to Prepare an Environmental Impact Statement* for the New Federal Building at 11000 Wilshire Boulevard in Los Angeles, California.

I first wrote to GSA on June 23, 2004, to express my concerns and to convey the concerns of the community in the vicinity of the proposed project to build a new headquarters for the Federal Bureau of Investigations (FBI) at 11000 Wilshire. I also requested information about the proposed project. GSA's response on June 29, 2004, was an acknowledgement of my letter and a commitment to address my concerns in the Draft Environmental Impact Statement.

Despite GSA's assertion that my concerns would be addressed, the June 29, 2004 letter did not answer any of my questions or provide the assurances I had requested. Moreover, as time progressed it became increasingly clear from contacts within the community that GSA was not attempting to seriously address these issues. In fact, many in the community were growing worried that GSA appeared to be superficially responding to concerns while moving steadily towards deciding to approve the project at 11000 Wilshire Boulevard.

Therefore, I sent a second letter to GSA on January 7, 2005, which reiterated my original concerns and requested answers to five specific questions. Your response dated January 28, 2005 completely failed to answer two questions and provided an insufficient answer to another two.

This project has generated serious community opposition and GSA does not appear to be fulfilling its obligations under the National Environmental Policy Act (NEPA) to fully consider your project's environmental effects, to have meaningful community input, and to clearly identify and analyze sufficient alternatives. Moreover, I

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am deeply concerned that you have repeatedly failed to answer my direct questions and requests for action.

In my January 7, 2005 letter, I asked GSA to "identify the outreach efforts GSA has made to governmental entities, communities, and businesses to identify alternative locations that may be interested in hosting this project." I first requested that GSA conduct appropriate outreach in my June 23, 2004 letter.

Your recent response indicates that you have "met with Councilwoman Jan Perry to discuss other sites in downtown Los Angeles and plan to meet with other local government officials." After requesting GSA to meet with government officials some eight months ago, I find it remarkable that GSA has had one meeting with one government official. You similarly fail to identify any businesses you have approached to discuss the possibility of their hosting the project.

In my January 7, 2005 letter, I specifically asked GSA to "indicate all of the locations that have been identified and are under consideration for this project." Your January 28, 2005 reply states that GSA has "already reviewed a number of sites (25) which were identified through the public review process and discussions with the Los Angeles County Economic Development Corporation." Your letter completely fails to identify the 25 locations, but more importantly, it fails to identify those specific locations that are currently under consideration for this project and will be fully analyzed in the Environmental Impact Statement.

I also asked GSA in my January 7, 2005 letter to indicate whether it is conducting an employee commuting survey, who is performing it, whether it is being performed internally or by an outside contractor and when it will be completed. My June 23, 2004 letter requested that GSA conduct this study and GSA responded that this concern would be addressed. In fact, GSA has failed to even respond to the threshold question of whether it is conducting this study.

I am disappointed that GSA has not been responsive to my ongoing requests and the concerns of the community over this extended period of time. GSA should be engaged in a transparent, thorough and rigorous evaluation of this project to ensure that a decision can be made that is in the best interest of the government and the public. I am once again renewing my requests to GSA and would appreciate receiving a full and comprehensive response.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive, slightly slanted style.

HENRY A. WAXMAN
Member of Congress

HAW:lp



GSA Pacific Rim Region

April 4, 2005

RECEIVED

APR 05 2005

The Honorable Henry A. Waxman
Member, United States House of Representatives
8436 West Third Street, Suite 600
Los Angeles, California 90048

Henry A. Waxman, M.C.
District Office

Dear Representative Waxman:

Thank you for your letter of March 3, 2005, regarding our Environmental Impact Statement (EIS) process for a new Federal Bureau of Investigation (FBI) facility in Los Angeles.

Let me begin by responding to your overall concern that the U.S. General Services Administration (GSA) is not responding to your concerns, and assure you that we have taken your concerns and those of the community very seriously. In fact, GSA has made significant changes to our process to accommodate the concerns raised.

We have reconsidered our National Environmental Policy Act (NEPA) compliance strategy to focus on alternative sites concurrent with studying 11000 Wilshire, developed an alternative with smaller development at this site with the aim of reducing the potential traffic impact, and extended our community outreach effort in order to be more responsive to those concerns. These changes have impacted the schedule and resulted in the NEPA process remaining at the earliest stages of development. At this time GSA and the FBI are working together to identify a more defined market for the purpose of identifying additional alternative sites.

I'll attempt to elaborate further on the above while addressing your specific questions in your March 3rd letter.

In response to your first request which asks GSA *"... to identify the outreach efforts GSA has made to governmental entities, communities, and businesses to identify alternative locations that may be interested in hosting this project..."*, the GSA has conducted considerable outreach efforts with the community and local officials to discuss the project goals and objectives, as well as alternative sites. A public scoping meeting was

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held in May 2004 attended by a number of city officials and community representatives. In addition to discussions with your district office staff on a number of occasions during the past year, we have also had informal discussions with the representatives of the Los Angeles (LA) Economic Development Corporation, and the following offices in December 2004:

1. Congresswoman Roybal-Allard
2. Senator Diane Feinstein
3. Governor Arnold Schwarzenegger
4. State Senator Sheila Kuehl
5. State Assemblyman Paul Koretz
6. County Supervisor Zev Yaroslavsky
7. Mayor James Hahn
8. Councilmember Jack Weiss
9. Councilmember Jan Perry; and
10. Councilmember Cindy Miscikowski

The primary purpose of our initial outreach efforts was to educate the community and public officials on the facility needs of FBI for more efficient operations. Some of these discussions have also involved potential alternative sites. We plan to visit with the elected officials again to update them on the project status including our site alternative efforts.

In response to your second request "... to indicate all of the locations that have been identified and are under consideration for this project," please understand that this process is not complete and in fact is still in a very early stage and therefore, we have not yet started evaluation of alternative sites. The territory covered by the headquarters for the FBI is metropolitan, central Los Angeles. Outlying areas of Southern California are covered by the ten FBI resident agencies. At the GSA public scoping meeting held on May 20, 2004, a number of sites were suggested by the attendees, most of which were located in outlying areas of Los Angeles County and are already covered by the ten resident agencies. Currently, the FBI is in the final stages of confirming a delineated area that best supports their mission. As mentioned above, GSA also contacted the LA Economic Development Corporation for suggestions of other potential sites. Together, the sites mentioned at the first public meeting and the sites given us by the LA Economic Development Corporation came to about 25 sites. Few, if any, of these sites were offered by their owners of record. Most, if not all, were far outside what we anticipate the FBI's final boundaries to be. For these reasons we are not in a position to identify these 25 sites as serious potential alternatives.

In order to establish a list of potential alternatives for the purposes of the EIS, we must go through a more formal process. We have requested that the FBI review and update the delineated area provided to the GSA previously to confirm that the area we advertise will be acceptable to them. Once we have received those boundaries, we will launch a formal market survey, which will include an advertisement in the Los Angeles Times and Fed Biz Ops soliciting proposals for sites for purchase which, meet the FBI's

mission requirements. In addition, we will re-contact the LA Economic Development Corporation and other government officials for their recommendations of potential sites meeting these criteria. These sites will then be evaluated along with those identified in the market survey.

We anticipate having the necessary information from the FBI shortly in order to place our advertisement and begin our contact with city officials.

In your third request, you ask GSA "... to indicate whether it is conducting an employee commuting survey, who is performing it, whether it is being performed internally or by an outside contractor and when it will be completed." Katz Okitsu & Associates, a consultant to GSA, will conduct the traffic analysis and data collection efforts for the EIS. As a part of the traffic study methodology, Katz Okitsu expects to receive input from a volunteer traffic study focus group of government and community representatives we are putting together to help guide the focus of our traffic study. We have discussed this approach with your district office staff. Since the traffic analysis has yet to begin and its scope has yet to be fully identified, we cannot estimate at this time when it will be completed.

In order to prepare for the traffic analysis, a number of data collection efforts have been identified, and are currently being coordinated by Katz Okitsu. The following is the status of the data collections to date.

(1) Collecting zip code data on where FBI employees live. The FBI already has collected this data for its current employees, some of whom do not truly commute but are administered or assigned, nonetheless, from the headquarters. Portions of this data will be used to establish trip distribution (commute) patterns for FBI personnel throughout the greater Los Angeles area. The data will help in the traffic analysis to assign vehicle trips to the surrounding street and freeway system.

(2) Collecting work schedule data. The FBI has already collected this data. The data was broken down into two groups -- agents and other personnel. The data identifies the number of personnel that arrive and depart the 11000 Wilshire site. This data will establish a trip generation rate for the present facility and will be applied to the new facility design schemes.

(3) Off-site evidence data. The FBI has already collected this data. The data shows the number of vehicle trips to and from the off-site evidence locations the FBI maintains in the San Fernando Valley. The data will be used in the trip generation and traffic analysis portion of the study.

(4) Collecting other site data. Additional commute/trip generation data elements remain to be collected by Katz Okitsu. These include the trip generation characteristics of the post office and the trip generation characteristics of the non-FBI tenants of the 11000 Wilshire Boulevard facility. All of the data elements will be utilized to conduct the traffic impact analysis for the project.

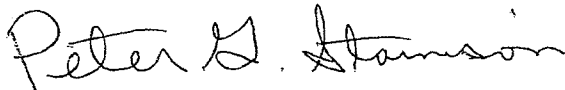
Through the scoping process (including your June 23, 2004 letter), GSA understood traffic to be the most critical factor concerning development in the Westwood community. In response, the GSA and FBI have agreed to explore a reduced project that would result in a total of two buildings at 11000 Wilshire Boulevard, versus the three-building project identified at the scoping meeting. This alternative was developed to explore if it can meet the needs of the FBI and at the same time create less traffic, than the three building alternative.

GSA has listened to the concerns of the community and has responded by adjusting its NEPA compliance strategy to be sensitive to those needs. We have exceeded NEPA requirements for community involvement, going beyond the scoping meeting by holding community focus groups and organizing a volunteer traffic study focus group to work with our traffic consultant. In planning our most recent community outreach effort, we consulted with your district office in December 2004 about conducting a number of community round tables, which were held on January 19 and 20, 2005, and attended by almost 100 people representing local government, local businesses and institutions, and the neighborhood associations. Your district office was kind enough to contribute names of these organizations so we could include them in our round tables. We plan to continue with additional forums to afford the community future opportunities for providing input.

I feel that GSA's actions are evident that we are committed to continue to work with the local community, beyond what is required by NEPA, to keep them involved and updated on this process, and most importantly to continue to listen and respond to their concerns.

Please be assured that the GSA is moving forward with our NEPA actions in a conscientious and forthright manner, and that we are committed to continuing our involvement with the community and your office in this process. Your staff should continue to feel free to call us whenever they have any questions.

Sincerely,



Peter G. Stamison
Regional Administrator

cc:

The Honorable Henry A. Waxman
United States House of Representatives
Washington, District of Columbia 20515
9PT:WStricklin:MAIameida:AGharavi:522-3085:9P:MFilippini:522-3004:9L:MPaik:522-2609